**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.13906 of 1999

**05.12.2007**

Between:

Mallela Narasaiah, S/o.Chennaiah
and others

…Petitioners

And

Government of Andhra Pradesh, represented by its
Principal Secretary, Roads & Buildings under
Command Area Development Authority (CADA),
Secretaria, Hyderabad
And others

…Respondents

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ORDER:

Petitioners who are nineteen (19) in number are owners of small extents of lands in survey Nos.14, 15, 17-A, 17-AA, 46, 48-A, 49-A, 50-A, 51-AA, 59-A, 66-A, 67-A, 122-A, 122-E, 129-A, 133, 130-A, 246/6 and 247 situated at Redlakunta village of Kodad Mandal in Nalgonda District. They allege that they are personally cultivating the land to eke out living. They further allege that in 1982 a portion of the hold of each petitioner was taken for laying down road connecting NH-9 to Dondapadu village. They also contend that the acquisition was pursuant to a notification under Land Acquisition Act, 1894 (the Act, for brevity) but no compensation was paid in spite of representations. They therefore filed the present writ petition seeking a direction to respondents to pass Award and pay compensation.

The matter came before this Court on 28.11.2007. Noticing the unfortunate situation that no counter affidavit is filed even after lapse of eight years after admission of the writ petition, this Court directed learned Assistant Government Pleader for Land Acquisition to get instructions in the matter. Today learned Assistant Government Pleader on telephonic instructions submits that the land of petitioner was never acquired and that no road was laid. In view of this controversy wherein the petitioners assert that their lands were acquired for laying road and the counter allegation that the road was not laid, it would be proper that the District Collector, Nalgonda, should personally conduct spot inspection after giving notice to petitioners and decide the matter. If the land is taken for laying down the road, needless to mention, that the District Collector should take steps for acquiring the land and pay compensation. In case petitioners land is utilized for laying down the road as above, it is always open to the District Collector to negotiate with petitioners

and pay compensation in accordance with the provisions in A.P. Land Acquisition (Negotiations Committee) Rules, 1992. The District Collector shall complete the exercise of conducting inspection within a period of six weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

December 05, 2007
YS